

Message Text

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ACTION AF-08

INFO OCT-01 ISO-00 EB-07 H-02 COME-00 TRSE-00 OPIC-03

IGA-02 L-03 /026 W

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P 051456Z AUG 76

FM AMEMBASSY ADDIS ABABA

TO SECSTATE WASHDC PRIORITY 471

LIMITED OFFICIAL USE ADDIS ABABA 9206

E.O. 11652: N/A

TAGS: BGEN ET

SUBJECT: MANDREL INDUSTRIES TAX PROBLEMS

REF: A. 75 ADDIS ABABA 7258, B. ADDIS ABABA 0434, C. STATE 188604

1. AS POINTED OUT REF B, INLAND REVENUE DEPT (IRD), MINISTRY OF FINANCE, DECIDED TO APPEAL TAX APPEAL COMMISSION DECISION REGARDING MANDREL TAX ASSESSMENT. THIS APPEAL LODGED WITH HIGH COURT JANUARY 10

.
SINCE THAT TIME HIGH COURT HAS BEEN HOLDING HEARINGS ON SUBMISSIONS BY IRD AND MANDREL. NEXT HEARING IS SET FOR SEPTEMBER 17 ACCORD-
ING TO RELIABLE LOCAL SOURCES THE HIGH COURT IS FOLLOWING STANDARD PROCEDURES; IN OTHER WORDS, MANDREL IS GETTING DUE PROCESS UNDER ETHIOPIAN LAW.

2. ON MARCH 12 MANDREL GAVE POWER OF ATTORNEY TO LOCAL ATTORNEY GITAHUN BEGASHAW. ON MARCH 14 POWER OF ATTORNEY PREVIOUSLY ISSUED TO GEORGE GLASSCOE EXPIRED. OVER THE PAST SEVERAL MONTHS AND ESPECIALLY SINCE GLASSCOE'S POWER OF ATTORNEY EXPIRED, BRITISH EMBASSY HAS BEEN MAKING VIGOROUS ATTEMPTS TO OBTAIN EXIT VISA FOR GLASSCOE, INCLUDING PERSONAL REPRESENTATIONS BY THE BRITISH AMBASSADOR TO THE MINISTER OF FOREIGN AFFAIRS AND ACTING MINISTER OF FINANCE. ALTHOUGH THE EPMG HAS NO LEGAL FOUNDATION FOR REFUSING TO ISSUE GLASSCOE AN EXIT VISA, OWING TO HIS CONNECTION WITH MANDREL IT IS ALMOST CERTAIN THAT GLASSCOE WILL NEVER-
THE LESS NOT RECEIVE EXIT VISA UNTIL MANDREL TAX ISSUE IS RE-
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SOLVED OR ANOTHER EXPATRIATE IS SENT TO ETHIOPIA TO REPLACE

GLASSCOE. TREATMENT OF GLASSCOE IN THIS RESPECT IS NOT UNUSUAL;
EMBASSY IS AWARE OF SEVERAL OTHER CASES OF SIMILAR NATURE WHERE
EXPATRIATE EMPLOYEES OF FOREIGN FIRMS ARE
NOT PERMITTED TO LEAVE COUNTRY UNTIL OUTSTANDING COMPANY TAX OR
OTHER PROBLEMS ARE RESOLVED. NEVERTHELESS, BRITISH EMBASSY INTENDS
TO CONTINUE TO PURSUE MATTER.

3. AS BEST EMBASSY CAN DETERMINE, IRD HAS NO INTENTION OF
NEGOTIATING SETTLEMENT WITH MANDREL IN SPITE OF RATHER CONCILIATORY
LETTER SENT BY MANDREL'S ASSOCIATE GENERAL COUNSEL MR. TOM F.
CAREY, JR., ON MAY 3, PRIMARILY BECAUSE THE DIFFERENCE OVER THE
AMOUNT OF TAX TO BE PAID IS VERY SUBSTANTIAL (APPROXIMATELY
US \$750,000). IN ADDITION, CURRENT POLITICAL ENVIRONMENT EN-
COURAGES HIGHLY CAUTIOUS BEHAVIOR ON PART OF MINISTRY OF FINANCE
OFFICIALS IN CASES OF THIS TYPE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 05 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976ADDIS09206
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760302-0260
From: ADDIS ABABA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760885/aaaacwqd.tel
Line Count: 77
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 ADDIS ABABA 7258, 76 ADDIS ABABA 434, 76 STATE 188604
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 28 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 JUN 2004 by ShawDG>; APPROVED <04 NOV 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: MANDREL INDUSTRIES TAX PROBLEMS
TAGS: BGEN, ET
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006